

A CERTIFIED TRUE COPY

AUG 21 2007

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUDGE KEENAN

AUG 31 2007

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONJAMES N. HATTEN, Clerk
By: J. Puckney Deputy Clerk

AUG - 3 2007

FILED
CLERK'S OFFICE.

07 CIV 7614

UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**MDL NO. 1789****IN RE Fosamax Products Liability Litigation****(SEE ATTACHED SCHEDULE)****CONDITIONAL TRANSFER ORDER (CTO-31)**

On August 16, 2006, the Panel transferred four civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 444 F.Supp.2d 1347 (J.P.M.L. 2006). Since that time, 64 additional actions have been transferred to the Southern District of New York. With the consent of that court, all such actions have been assigned to the Honorable John F. Keenan.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of New York and assigned to Judge Keenan.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of New York for the reasons stated in the order of August 16, 2006, and, with the consent of that court, assigned to the Honorable John F. Keenan.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

AUG 21 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Jeffery N. Lüthi
Clerk of the Panel

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J. MICHAEL McMAHON

CLERK

BY

DEPUTY CLERK

SCHEDULE CTO-31 - TAG-ALONG ACTIONS

MDL NO. 1789

IN RE Fosamax Products Liability Litigation

DIST. DIV. C.A. #

CASE CAPTION

CALIFORNIA EASTERN

CAE 2 07-1410

CAE 2 07-1414

Steven Felgenhauer v. Merck & Co., Inc.

Sandra Green v. Merck & Co., Inc.

FLORIDA MIDDLE

FLM 3 07-556

Dolores Hussmann v. Merck & Co., Inc.

GEORGIA NORTHERN

GAN 1 07-1502

Elizabeth Forsling v. Merck & Co., Inc.

NEW JERSEY

NJ 3 07-3285

Susan A. Unruh v. Merck & Co., Inc.

INVOLVED COUNSEL LIST (CTO-31)
MDL NO. 1789
IN RE Fosamax Products Liability Litigation

Clifford Lee Carter
Clayco C. Arnold, PLC
608 University Avenue
Sacramento, CA 95825

Joseph V. Gibson, IV
Law Office of Joseph V. Gibson, PC
2900 Wesleyan
Suite 580
Houston, TX 77027

M. King Hill, III
Venable, LLP
210 Allegheny Avenue
Towson, MD 21204

Katharine R. Latimer
Spriggs & Hollingsworth
1350 I Street, N.W.
9th Floor
Washington, DC 20005

Scott D. McAlpine
Schreeder, Wheeler & Flint, L.L.P.
1100 Peachtree Street, NE
Atlanta, GA 30309-4516

Timothy M. O'Brien
Levin Papantonio Thomas, et al.
316 S. Baylen Street, Suite 600
P.O. Box 12308
Pensacola, FL 32591

Christopher A. Seeger
Seeger Weiss
One William Street
10th Floor
New York, NY 10004-2502

Linda Laurent Thomas
Thomas & Wan, LLP
909B West Main
Houston, TX 77006

Terry O. Tottenham
Fulbright & Jaworski, L.L.P.
600 Congress Avenue
Suite 2400
Austin, TX 78701-2011